

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

INNOVATION VENTURES, LLC D/B/A  
LIVING ESSENTIALS,

Plaintiff,

v.

ULTIMATE LIFESTYLES, LLC AND  
CUSTOM NUTRITION LABORATORIES, LLC

Defendants.

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CIVIL ACTION NO. 4:08-CV-232

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**


Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On July 8, 2008, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that this Court enter a preliminary injunction order in this matter.

The Court, having made a *de novo* review of the objections raised by Defendants and Plaintiff's response to those objections, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections of Defendants are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court, and Plaintiff Innovation Ventures, LLC d/b/a Living Essentials's Motion for Preliminary Injunction against Defendant Custom Nutrition Laboratories, LLC (Dkt. 13) and Motion for Preliminary Injunction against Defendant Ultimate Lifestyles, LLC (Dkt. 16) are GRANTED in part. A preliminary injunction order shall be issued by this Court in accordance with

the recommendations of the Magistrate Judge.

**IT IS SO ORDERED.**

**SIGNED this 14th day of August, 2008.**



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MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE